

APR 19 2000

Attorney Docket No.: JHV-009.01

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Garver et al.

Serial No.: 09/359,593

Filed: July 23, 1999

Title: CONTROLLED RELEASE OF  
BIOACTIVE SUBSTANCES

Group Art Unit: 1652

Examiner: To be Assigned

**CERTIFICATE MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Box IDS, Washington, D.C. 20231.

4-13-00  
Date of Signature  
and of Mail Deposit

*Jonathan Furtado*  
Jonathan Furtado

Assistant Commissioner for Patents  
**Box IDS**  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)**

Sir:

Submitted herewith on Form PTO-1449 is a list of references known to Applicants and/or his Attorney/ Agent in compliance with the requirements of 37 CFR 1.56. A copy of each reference listed is also being submitted. Since this Information Disclosure Statement is being submitted before the mailing date of the first Office Action on the merits, no fee is due.

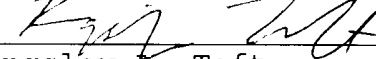
Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form 1449.

This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account, No. 06-1448.

Respectfully submitted,  
FOLEY, HOAG & ELIOT, LLP

By:   
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